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Paper No. 7

TO: Ex. Marcelo - AU 263

FROM: Office of Publications
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SUBJECT: DISCLAIMER NOT ACCEPTABLE

Serial No. 07/405,792

The disclaimer submitted for recording in the above identified case has not been made of record for the reasons(s) checked below:

1. The recording fee of _____ has not been submitted nor is there any authorization in the application file for use of a Deposit Account.
2. It is not signed by the owner of record.
3. It does not include the provision specified in:
 - a. Rule 321(a) in that the person who has signed the disclaimer has not stated the extent of his interest in the patent.
 - b. Rule 321(b) to overcome the double patenting rejection.
4. It is signed by the attorney instead of by the owner of record.
5. It is directed to a particular claim or claims, which is not acceptable since "the disclaimer must be of a terminal portion of the term of the entire patent to be granted." (M.P.E.P. 1490)
6. The person who signed the terminal disclaimer has failed to state the capacity to sign for the corporation.
7. Other
Since this application is a CIP the assignment filed on reel 4804, frame 036 for ser. no. 097,775 does not carry over to this application.

Marietta Joyce
For Head Decision and
Certificates of Correction Branch